

1 **AND REPAIR PROCEDURES" FOR LOOPS. IS AMERITECH'S**
2 **PROPOSAL FOR LOOP PROVISIONING CONSISTENT WITH ITS**
3 **OBLIGATIONS UNDER THE ACT AND THE FCC'S FIRST REPORT**
4 **AND ORDER?**

5
6 A. No, because Ameritech has established no specified loop provisioning standards.
7 In prior testimony, Ameritech's witness Mr. Mickens stated only that the interval
8 for switching unbundled loops in instances requiring a "field dispatch" will be
9 based on "work load and available field forces at the time the order is placed."
10 (Mickens Rebuttal Test., pp. 33-34) This is no standard at all. Specified loop
11 provisioning standards must be established for Ameritech, with penalties for
12 failure to meet such standards. Without standards, there is no basis for
13 determining if Ameritech is offering service on a nondiscriminatory basis and no
14 ability on the part of CLECs to make commitments to its customers about the
15 provisioning of loops. Clearly, Ameritech does not want standards or specified
16 time periods because it does not want to be held accountable. In the marketplace,
17 the CLECs will be accountable if they are not able to provide service on a timely
18 basis, and any competitor that is unable to commit to a provisioning date with
19 prospective customers will not survive in the marketplace. Ameritech knows this
20 and must be similarly accountable to its competitor/customers.

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2 **Q. DOES THIS CONCLUDE YOUR TESTIMONY?**

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4 **A. Yes, it does.**

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**STATE OF ILLINOIS
ILLINOIS COMMERCE COMMISSION**

Illinois Commerce Commission)	
On Its Own Motion)	
)	
Investigation Concerning Illinois)	No. 96-0404
Bell Telephone Company's)	
Compliance with Section 271(c) of)	
the Telecommunications Act of 1996)	

**SUPPLEMENTAL TESTIMONY
OF
JUDITH D. EVANS
ON BEHALF OF
AT&T COMMUNICATIONS OF ILLINOIS, INC.
AT&T EXHIBIT 8.1**

1 Q. PLEASE STATE YOUR NAME AND BUSINESS ADDRESS.

2 A. My name is Judith D. Evans. My business address is 227 West Monroe Street, Room
3 19SQ11, Chicago, Illinois 60606.

4

5 Q. ARE YOU THE SAME JUDITH D. EVANS WHO SUBMITTED DIRECT
6 TESTIMONY IN THIS PROCEEDING?

7 A. Yes, I am.

8

9 Q. WHAT IS THE PURPOSE OF YOUR SUPPLEMENTAL TESTIMONY?

10 A. The purpose of my supplemental testimony is to reply to certain statements made in,
11 and schedules attached to, the Supplemental Rebuttal Testimony of Ameritech's
12 witness, Gregory Dunny, regarding Ameritech's compliance with the competitive
13 checklist. According to Mr. Dunny, Schedule 1 to his testimony describes the items
14 on the checklist that are offered in Ameritech's Amended Statement of Generally
15 Available Terms ("SGAT"). See Dunny Supplemental Rebuttal Test., pp. 2-3.⁵ Mr.

⁵For purposes of my testimony, the Schedule 1 to which I will be referring is the "new" Schedule 1 to Mr. Dunny's testimony filed by Ameritech as part of an "errata" dated December 20, 1996. This "new" Schedule 1, according to Ameritech, replaced the former Schedules 1-4 that had been filed with Mr. Dunny's testimony on December 13, 1996. Ameritech further stated in its "errata" that the "new" Schedule 1 conforms to the revised SGAT that it would "shortly" file with the Commission. See letter from Lincoln Janus to Michael Guerra, dated December 20, 1996. Accordingly, the references to the SGAT in my current testimony are to the Amended SGAT filed by Ameritech on December 23, 1996.

1 Dunny further states that another schedule, Schedule 5, provides for each checklist
2 item a "detailed description" of Ameritech's actual compliance with the checklist, its
3 "operational readiness," and, where applicable, the in-service quantities for the item
4 actually being provided by Ameritech. Id., p. 4. Together with my direct testimony, I
5 demonstrate that, contrary to the assertions of Mr. Dunny in his testimony and the
6 schedules, Ameritech has not met its obligations under the Telecommunications Act
7 of 1996 ("the 1996 Act") with respect to number portability and non-discriminatory
8 access to directory assistance and directory listings.

9
10 PERMANENT NUMBER PORTABILITY

11
12 **Q. SCHEDULE 5 (P. 11) TO MR. DUNNY'S TESTIMONY STATES THAT**
13 **AMERITECH'S SGAT "PROVIDES THAT AMERITECH AND THE OTHER**
14 **CARRIER WILL MIGRATE FROM INTERIM NUMBER PORTABILITY TO**
15 **PERMANENT NUMBER PORTABILITY AS SOON AS PRACTICALLY**
16 **POSSIBLE BUT NO LATER THAN THE DATE PROVIDED BY THE FCC IN**
17 **ITS RULES." WHAT IS YOUR REACTION TO THIS STATEMENT?**

18 **A.** I agree that Ameritech's SGAT makes such a representation. However, such mere
19 assurances by Ameritech are not enough. As described in the direct testimony of
20 John Puljung, Ameritech has a history of delays and lack of compliance with

1 Commission orders issued in prior proceedings. Moreover, the comments submitted
2 by other parties in this proceeding show that Ameritech is not complying with its
3 obligations to competing local exchange carriers ("CLECs") under the 1996 Act.
4 These facts leave much room for concern that Ameritech will not comply with the
5 PNP implementation schedule.

6

7 **Q. IS IT NOT TRUE, HOWEVER, THAT YOU HAVE PREVIOUSLY STATED**
8 **THAT AT THE CURRENT TIME, THE PLANNED IMPLEMENTATION OF**
9 **PNP APPEARS TO BE ON SCHEDULE?**

10 **A.** Yes, I made that statement in my direct testimony (p. 11). Also, as a member of the
11 Illinois LNP Workshop, I have expressed general satisfaction concerning the progress
12 made thus far by Ameritech in implementing the matters already resolved in the
13 workshop.

14

15 The road leading to that satisfaction, however, has not been a trouble-free one.

16 AT&T and other CLECs have had differences in the past with Ameritech over PNP
17 implementation issues. On some of these issues, problems arose because Ameritech
18 took a position that was obviously intended to enhance its competitive position.

19 Ultimately, the parties were able to reach a mutually satisfactory compromise
20 solution, and AT&T has been satisfied with the implementation of the compromise.

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2 Moreover, and even more important, the satisfaction that I have expressed has
3 involved only Ameritech's progress to date. Throughout this period, Ameritech has
4 had a strong incentive to cooperate with its competitors on number portability issues.
5 The FCC is not likely to allow a BOC that appears to be "stonewalling" in
6 implementing the PNP schedule to enter the long-distance market. Thus, it is not
7 surprising that on many issues, Ameritech has been cooperative. AT&T, however, is
8 concerned that Ameritech will not demonstrate such cooperation and compliance in
9 the future. As I stated in my direct testimony (pp. 11-12), in order for the FCC's PNP
10 deadline to be met, a number of milestones with respect to switch upgrades, software
11 development and testing must be met in what everyone agrees is an aggressive
12 schedule. Moreover, numerous critical decisions and implementation issues on PNP
13 remain unresolved in the Illinois workshop. Resolution of those matters is critical to
14 achievement of PNP.

15
16 Ameritech will have little or no incentive to engage in cooperation and consensus
17 with its competitors on these significant, unresolved issues if it receives in-region
18 interLATA authority before it has fully implemented PNP in a MSA like Chicago. In
19 fact, under such circumstances Ameritech would have every reason to delay
20 resolution of those issues, and thus PNP, by refusing to agree to a solution or by

1 forcing litigation of the issues. The delay would have the effect of enhancing
2 Ameritech's competitive position and impairing the growth of competition, because
3 CLECs would be forced to continue using INP methods, which are unsuitable as
4 long-term solutions. That is why the Commission, to mitigate the likelihood of a
5 problem later, should (at a minimum) formally adopt requirements that Ameritech:
6 (1) identify its responsible personnel; (2) specifically outline its schedule for
7 implementation of the Location Routing Number ("LRN") method; and (3) provide
8 the Commission with regular monthly reports on the progress of the PNP project.

9
10 INTERIM NUMBER PORTABILITY

11
12 **Q. WITH RESPECT TO INP, SCHEDULE 5 (P. 11) OF MR. DUNNY'S**
13 **TESTIMONY STATES THAT: (1) AMERITECH IS PROVIDING INP TO**
14 **THREE CLECs VIA RCF UNDER ITS INTERCONNECTION**
15 **AGREEMENTS WITH THOSE CARRIERS; (2) AMERITECH'S SGAT**
16 **OFFERS INP TO ALL CARRIERS VIA RCF OR DID; AND (3) OTHER**
17 **FORMS OF PROVIDING INP, TO THE EXTENT TECHNICALLY**
18 **FEASIBLE, MAY BE PROVIDED PURSUANT TO A BONA FIDE REQUEST.**
19 **IS THIS SUFFICIENT TO SATISFY AMERITECH'S INP OBLIGATIONS**
20 **UNDER THE COMPETITIVE CHECKLIST?**

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1 A. No. Until a PNP solution is fully deployed, Ameritech is required by the 1996 Act to
2 provide all technically feasible interim number portability ("INP") solutions necessary
3 for CLECs to be able realistically to achieve near term competition with Ameritech.
4 The description in Schedule 5 simply reiterates Ameritech's previous willingness to
5 provide INP by the Remote Call Forwarding ("RCF") and Direct Inward Dialing
6 ("DID") methods -- and Ameritech's refusal to provide the route indexing method of
7 INP, even though route indexing is technically feasible.

8

9 Q. **YOU STATED THAT ROUTE INDEXING IS TECHNICALLY FEASIBLE.**
10 **PLEASE ELABORATE.**

11 A. Under the FCC's orders, Ameritech has the burden of proving that the route indexing-
12 portability hub method ("RI-PH") is not technically feasible. It cannot meet that
13 burden. The September 1995 proposal of Ameritech's own Number Portability Team
14 (which was attached to my direct testimony as JDE Exhibit 1), not only offered a RI-
15 PH method (as an enhanced version of Ameritech's FLEX-DID service), but also
16 stated that the RI-PH method was "viable" and "proven." See JDE Exhibit 1, p. 3.⁶
17 In addition, experience in other regions has shown that RI-PH is technically feasible.
18 BellSouth has determined that RI-PH is technically feasible, and has agreed to

⁶Mr. Dunny himself conceded in his rebuttal testimony (p. 44) that Ameritech's research "indicated that RI-PH might be technically feasible in theory."

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1 provide RI-PH as an INP solution in all nine of the States in its region, with limited
2 exceptions. See JDE Exhibit 2, pp. 4, 12-13; JDE Exhibit 3. US West has agreed to
3 provide RI-PH in Colorado, and has unofficially agreed to provide both RI-PH and
4 Directory Number-Route Indexing ("DN-RI") in all of the States in its region.⁷ Sprint
5 Local has agreed to provide RI-PH to AT&T nationally, provided that Sprint Local
6 and AT&T jointly test it prior to implementation. Furthermore, in at least three States
7 incumbent LECs have been ordered by the State regulatory commission to provide
8 RI-PH, based on the commission's finding that RI-PH is technically feasible. In
9 arbitration proceedings before the California Public Utilities Commission, both
10 Pacific Bell and GTE have been ordered to provide route indexing, including the
11 "tandem hubbing" option (which AT&T refers to as RI-PH), in California.⁸
12 Similarly, Ameritech and GTE have been required to provide RI-PH in Indiana, and
13 GTE has been required to provide RI-PH in Florida.

⁷As stated in my direct testimony (p. 18), DN-RI is a form of route indexing that is very similar to (although somewhat less advanced than) RI-PH. US West has tariffed DN-RI in Oregon (where GTE has also agreed to provide DN-RI), and NYNEX has agreed to provide DN-RI in all of the States in its region, favoring it over RCF, which it plans to phase out because it considers RCF "too burdensome."

⁸In the Matter of the Petition of AT&T Communications of California, Inc., For Arbitration Pursuant to Section 252(b) of the Telecommunications Act of 1996, To Establish an Interconnection Agreement With Pacific Bell, Application No. 96-08-040 (Cal. PUC), Arbitrator's Report dated October 31, 1996, pp. 10-11; In the Matter of the Petition of AT&T Communications of California, Inc., For Arbitration Pursuant To Section 252 of the Federal Telecommunications Act of 1996, To Establish an Interconnection Agreement With GTE, California, Inc., Application No. 96-08-041 (Cal. PUC), Arbitrator's Report dated October 31, 1996, pp. 7-8.

1

2 **Q. COULD AMERITECH JUSTIFY ITS UNWILLINGNESS TO PROVIDE RI-**
3 **PH ON THE GROUND THAT DOING SO WOULD IMPAIR ITS EFFORTS**
4 **TO IMPLEMENT PNP?**

5 **A.** No. The implementation of RI-PH would not affect Ameritech's implementation of
6 PNP, because RI-PH is not an unproven, totally new technology that would be
7 extremely costly to develop and implement. DID (which Ameritech is willing to
8 offer), RI-PH, and DN-RI are all derivatives of one another and rely essentially on the
9 same technology. See Number Portability Order, ¶ 20 (noting that RI-PH is a
10 derivative method of RCF and DID).⁹ Ameritech itself recognized this fact in its
11 September 1995 proposal for RI-PH, which found that RI-PH is a "relatively quick
12 and inexpensive method" and "does not delay deployment of long term number
13 portability." JDE Exhibit 1, pp. 3-4. Moreover, BellSouth and US West -- which are
14 subject to the same requirements of the 1996 Act regarding number portability as
15 Ameritech -- would never have offered RI-PH if they believed that doing so would
16 divert them from implementing PNP.

⁹RI-PH is not the type of "mid-term" or "medium term" database solution for number portability, such as the carrier portability code ("CPC") method proposed by others in the industry, that the FCC has declined to require. See Number Portability Order, ¶ 116. RI-PH is considered neither a database solution nor a medium term solution -- as was recognized by Ameritech's September 1995 proposal, which repeatedly and correctly referred to RI-PH as an interim portability solution. JDE Exhibit 1, pp. 2-4.

1

2 **Q. ARE THERE PRACTICAL REASONS, ASIDE FROM THE REASONS THAT**
3 **YOU HAVE PREVIOUSLY DESCRIBED, WHY RI-PH SHOULD BE**
4 **IMPLEMENTED?**

5 **A. Yes. The Indiana Utility Regulatory Commission recently ruled in arbitration**
6 **proceedings that Ameritech must provide route indexing, including RI-PH, in**
7 **Indiana.¹⁰ Assuming that this ruling stands, there is simply no reason why Ameritech**
8 **should refuse to provide RI-PH in all of the States in its region when it is already**
9 **providing RI-PH in Indiana.**

10

11 **Q. IN YOUR DIRECT TESTIMONY, YOU STATED THAT LERG**
12 **REASSIGNMENT IS ONE OF THE INP METHODS REQUIRED BY AT&T.**
13 **DOES EITHER SCHEDULE 1 OR SCHEDULE 5 OF MR. DUNNY'S**
14 **TESTIMONY REFER TO LERG REASSIGNMENT?**

15 **A. Although Schedule 5 of Mr. Dunny's supplemental testimony makes no reference to**
16 **LERG Reassignment, Schedule 1 (p. 17) states that Ameritech is providing the INP**
17 **required by the 1996 Act pursuant to SGAT Sections 13.1 through 13.5. Section 13.5**
18 **of the SGAT provides for "NXX Migration," which is the LERG Reassignment**

¹⁰In the Matter of the Petition of AT&T Communications of Indiana, Inc. Requesting Arbitration, Cause No. 40571-INT-01 (Ind. Utility Reg. Commission), issued Nov. 27, 1996, pp. 17-18.

1 method. However, that offering is insufficient, because Ameritech has been unwilling
2 to provide LERG Reassignment with route indexing. As described in my direct
3 testimony (pp. 22-23, 28), route indexing is not only a technically feasible method of
4 INP that Ameritech is required to provide under the 1996 Act, but is also essential for
5 CLECs such as AT&T to be able to take advantage of LERG Reassignment solutions.
6
7

8 **DIRECTORY ASSISTANCE AND DIRECTORY LISTINGS**

9

10 **Q. SCHEDULE 1 (PP. 13-14) AND SCHEDULE 5 (PP. 7-8) OF MR. DUNNY'S**
11 **TESTIMONY SUGGEST THAT AMERITECH HAS MET ITS DIRECTORY**
12 **ASSISTANCE AND DIRECTORY LISTING OBLIGATIONS. DO YOU**
13 **AGREE THAT AMERITECH HAS MET THESE OBLIGATIONS?**

14 **A.** No, I do not. As I described in my direct testimony (p. 32), Ameritech clearly has not
15 satisfied its obligations under the checklist, under Section 251(b)(3) of the Act, or
16 under the corresponding rules of the FCC. For example, Ameritech's offering does
17 not include a basic yellow page listing for the customers of new entrants, information
18 page listings, the distribution of white page directories to a new entrant's facilities-
19 based customer, or the distribution of yellow pages to any customer of any alternative
20 provider.

1

2 **Q. WOULD YOU DEFINE THE "BASIC YELLOW PAGE LISTING" TO**
3 **WHICH YOU REFERRED?**

4 **A. Yellow pages contain two types of listings: basic listings and enhanced listings.¹¹ A**
5 basic yellow page listing is the simple printed listing of a party's name, address, and
6 telephone number in the yellow pages under a particular classification. An enhanced
7 listing, by contrast, is a feature in the yellow pages that goes beyond the basic listing.
8 Enhanced features include, for example, the listing of a party in boldface type, capital
9 letters, or italics. They also include the special advertising boxes that customers take
10 in addition to their basic listing, or even boxing of the basic listing. Enhanced listings
11 are supplied to customers at additional charges.

12

¹¹Basic yellow page listings are among the "directory listings" to which an LEC is required to provide nondiscriminatory access pursuant to its "dialing parity" obligations under Section 251(b)(3). For purposes of this statute, the FCC has defined "directory listing" to include, at a minimum, the term "subscriber list information" as defined in Section 222(f)(3). Thus, "directory listing" must include "any information . . . identifying the listed names of subscribers of a carrier and such subscribers' telephone numbers, addresses, or primary advertising classifications," or any combination of such information, that the LEC has had published in a directory format. Second Report and Order released August 8, 1996, in FCC Docket Nos. 96-98, et al., ¶ 137 & n.15 (quoting 47 U.S.C. § 222(f)(3)(A), (B)). Basic yellow page listings certainly constitute such data, in addition to white page listings. Consequently, Ameritech's failure to provide basic yellow page listings for customers of new entrants violates its duties under Section 251(b)(3) and fails to satisfy the competitive checklist, including Section 271(c)(2)(B)(xii).

1 **Q. IN YOUR DIRECT TESTIMONY (PP. 33-34), YOU DESCRIBED FIVE**
2 **REQUIREMENTS THAT INCUMBENTS SUCH AS AMERITECH SHOULD**
3 **BE REQUIRED TO MEET IN ORDER TO ENSURE**
4 **NONDISCRIMINATORY ACCESS TO BASIC WHITE PAGE AND**
5 **YELLOW PAGE LISTINGS DATA. IN YOUR OPINION, DOES EITHER**
6 **THE "CHECKLIST COMPLIANCE" DESCRIBED IN MR. DUNNY'S**
7 **SCHEDULE 5, OR THE SGAT DESCRIBED IN HIS SCHEDULE 1, MEET**
8 **THOSE REQUIREMENTS?**

9 **A. No. In the first place, the five requirements set forth in my direct testimony**
10 **encompass both white and yellow page listings data. However, both the "checklist**
11 **compliance" described in Mr. Dunny's Schedule 5 and the SGAT referred to in his**
12 **Schedule 1 are limited to white pages. See Dunny Schedule 1,**
13 **p. 14; SGAT, Art. 15; Dunny Schedule 5, p. 8.¹² Even with respect to white pages,**
14 **Ameritech falls far short of meeting these requirements.**

15

¹²The Commission Staff has previously taken the position -- supported by the Commission -- that to the extent that Ameritech provides listings in its directory to end users of its services, it must provide the same listing for end users who obtain their telephone service from resellers. See Prepared Testimony of Jake E. Jennings (Staff Exhibit 1.00) filed November 2, 1995, in Docket No. 95-0458, pp. 25-27; Commission Order entered June 26, 1996, in Docket Nos. 95-0458/95-0531, p. 70. The same rationale clearly requires Ameritech, which provides each of its business customers free listings in both the white and yellow pages, to provide the same free listings for business customers of CLECs in both directories.

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1 Aside from stating that Ameritech offers white page listings to carriers, neither
2 Schedule 5 nor the SGAT addresses the first requirement -- that an incumbent like
3 Ameritech must provide its competitors with complete information about the content
4 of the BOC's white and yellow pages in a timely manner. Without such data,
5 effective competition will not be possible, because CLECs will not have the
6 information they need to issue accurate and complete local service orders.
7
8 Similarly, neither Schedule 1 nor Schedule 5 of Mr. Dunny's testimony addresses the
9 second requirement -- that the ILEC use a format for the submission of white and
10 yellow page listings data that complies with industry standards agreed to at the Order
11 and Billing Forum ("OBF") for the transmittal of listings data between carriers. In
12 previous testimony, Mr. Dunny conceded that "industry standards have not been
13 finalized." See Dunny Rebuttal Test., p. 35. Until that happens, however,
14 nondiscriminatory access cannot be achieved, because without OBF standards the
15 RBOCs might use the USOF version of directories that they have used for many
16 years. This version would give an unfair competitive advantage to the incumbent
17 carriers, because it uses special characters and codes with which CLECs are

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1 unfamiliar -- and would therefore pose major training and implementation problems
2 for any CLEC.¹³
3
4 Mr. Dunny's schedules make clear that Ameritech also does not satisfy the third
5 requirement -- that ILECs supply CLECs with directory publication schedules and
6 deadlines in an electronic format with sufficient lead time for CLECs to plan and
7 implement a process to ensure directory accuracy and completeness. In particular, the
8 schedules fail to address the need for provision of specific directory publication
9 deadlines and sufficient lead times.¹⁴ CLECs need the details of the deadlines for the
10 inclusion of listings in directories, in an electronic format, in order to provide

¹³Furthermore, Mr. Dunny has stated that Ameritech Illinois will employ industry standards (once they are finalized) only "for receiving submissions of subscriber listings from other LECs" -- that is, the one-way transmission of information from the CLEC to the ILEC. Id. Similarly, Schedule 5 (p. 8) of his supplemental testimony describes only methods by which CLECs can provide daily updates of their subscriber listings to the ILEC. That is insufficient, because it does not address the transmission of listings data from the ILEC to the CLEC, which is also critically important in order that the CLEC can produce its own databases for directory assistance, and accurate directory assistance information to its customers. See also Schedule 1, p. 14 (citing SGAT Article 15, which requires CLECs to provide customer listings to Ameritech and requires Ameritech's publisher to provide CLECs with a copy of the listings prior to publication).

¹⁴Schedule 5 states only that each directory has a close date, beyond which no changes can be made. Dunny Schedule 5, p. 8. Schedule 1 refers to Article 15 of the SGAT, which requires only that Ameritech's publisher provide the CLEC with a copy of the listings prior to publication "in such form and format as may be mutually agreed to by the parties," and that Ameritech or its publisher provide CLECs with "appropriate" close dates within 30 days "of this information becoming available." Dunny Schedule 1, p. 14; SGAT, §§ 15.1.3-15.1.4.

1 valuable planning information to their customers and satisfy their listing needs.

2 Furthermore, it is critical to the establishment of effective local competition that

3 CLECs be given sufficient lead time in the ILEC's publication schedule for them to

4 review the galleys of the directory before publication, in order to ensure that the

5 listings of CLEC customers are accurate.

6
7 It appears that Ameritech meets (with respect to white page listings) the fourth and

8 fifth requirements -- i.e., that ILECs (a) consolidate and maintain listings for all

9 competitor customers without retaining ILEC customers in a separate section,

10 regardless of whether the customers are served under total services resale, unbundled

11 network elements, or total build out scenarios; and (b) supply their competitors with

12 complete and timely information about directory delivery schedules and locations in

13 an electronic format.¹⁵ Nonetheless, Ameritech has failed to meet three requirements

14 with respect to white page listings, and all five requirements in the case of yellow

15 page listings.

¹⁵See SGAT, § 15.1.2; Dunny Schedule 5, p. 8; Dunny Rebuttal Test., p. 35. I am assuming, however, that Ameritech's statements in its SGAT (§ 15.1.2) mean that Ameritech's listings make no distinction based on (among other things) whether the CLEC customer is a facilities-based customer, a resale customer, or an unbundled elements customer. If Ameritech does make such a distinction (as Section 15.2.5 of the SGAT does in the distribution of white pages directories), it is clearly not in compliance with the fourth requirement. I also base my assessment regarding the fifth requirement on Mr. Dunny's prior testimony that CLECs will be provided the same information regarding directory distribution that is provided to Ameritech Illinois. See Dunny Rebuttal Test., p. 35.

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2 **Q. DO YOU HAVE ANY ADDITIONAL COMMENTS REGARDING THE**
3 **STATEMENTS IN MR. DUNNY'S SCHEDULES REGARDING ACCESS TO**
4 **DIRECTORY LISTINGS?**

5 **A.** Yes. Mr. Dunny's schedules do not discuss the issue of unlisted numbers, other than
6 to state that the SGAT provides for a directory assistance service that will enable
7 customers of CLECs to obtain directory listings, except unlisted numbers, for
8 customers of any carrier on a nondiscriminatory basis. See Dunny Schedule 1, p. 13
9 (citing SGAT, § 9.4 and Schedule 9.2.7, § 2.4). As I stated in my direct testimony
10 (p.33 n.3), although the FCC has not required the RBOCs to share unlisted numbers
11 with CLECs, the 1996 Act clearly requires the RBOCs to ensure that the customers of
12 CLECs are provided with the same information about unlisted numbers that RBOCs
13 provide to their own customers. See Second Report and Order, ¶ 135; 47 C.F.R. §
14 51.217(c)(3)(i). Thus, an RBOC has an obligation to share an unlisted customer's
15 status with the CLECs by advising the CLECs that the customer has an unlisted
16 number, because the RBOC would advise its own customers of that status.

17

18 **Q. WHY IS IT IMPORTANT THAT THE RBOCS ADVISE THE CLECs THAT**
19 **A PARTICULAR CUSTOMER HAS AN UNLISTED NUMBER?**

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1 A. The provision of this information is necessary to enable the CLECs to offer the same
2 services as the ILEC and thus be effective competitors of the ILEC. If a CLEC
3 providing local directory information does not know the unlisted status of ILEC
4 customers, the CLEC would advise the caller -- inaccurately -- that no listing exists
5 for the party in question, rather than the fact that a number exists for the party but is
6 unlisted. The lack of information regarding the unlisted number status of customers
7 would have a significant impact on the accuracy of a CLEC's directory assistance
8 operation, because a significant percentage of the RBOCs' customers have unlisted
9 numbers.¹⁶

10

11 Q. **DOES THIS CONCLUDE YOUR TESTIMONY?**

12 A. Yes, it does.

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¹⁶For example, in Illinois approximately 14 percent of all consumer numbers are private (that is, not available through directory assistance); in Michigan, the percentage is approximately 17 percent.

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